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DATE: April 28, 2004

PTO IDENTIFIER: Application Number 09/997,807  
Filing Date: November 30, 2001  
Inventor: Jay M. SHORT et al.MESSAGE TO: US Patent and Trademark Office – Examiner Michael Borin, Ph.D.  
Art Unit 1646  
FAX NUMBER: (703) 872-9306FROM: MORRISON & FOERSTER LLP  
Gregory P. Einhorn  
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PAGES (Including Cover Sheet): 14

CONTENTS: Transmittal (1 page)  
Preliminary Amendment and Response to Teleconference – 12 pages

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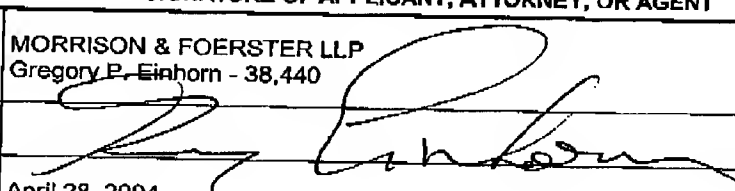
MORRISON & FOERSTER LLP  
3811 Valley Centre Drive, Suite 500, San Diego, California 92130  
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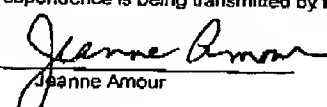
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/997,807
		Filing Date	November 30, 2001
		First Named Inventor	Jay M. SHORT
		Art Unit	1646
		Examiner Name	M. Borin
Total Number of Pages in This Submission	13	Attorney Docket Number	564462010900

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply - 12 pgs. <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Gregory P. Einhorn - 38,440
Signature	
Date	April 28, 2004

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SD-196768

Attorney's Docket No.: 56446-20109.00/-910001/D1590-2US/2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant : Short, et al.

Art Unit : 1646

Serial No. : 09/997,807

Examiner : Michael Borin, Ph.D.

Filed : November 30, 2001

Title : METHOD OF MAKING A PROTEIN POLYMER AND USES OF THE  
POLYMER

APR 30 2004

OFFICIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450PRELIMINARY AMENDMENT AND  
RESPONSE TO TELECONFERENCE

Sir:

Responsive to the teleconferences of April 28, 2004, and April 27, 2004,  
Applicants respectfully request entry of the amendment and consideration of the remarks set  
forth herein.

Applicants note that this is the third preliminary amendment, the first submitted  
October 29, 2003, and the second submitted February 13, 2004.

Amendments to the claims are reflected in the listing of claims which begin on  
page 2 of this paper.

English translation of reference AJ of the IDS submitted May 29, 2002, the  
Bianca Mai University of Regensburg thesis was previously faxed.

Remarks begin on page 9 of this paper.

The following documents are enclosed herewith:

- Facsimile cover sheet
- Transmittal letter

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